

WASHINGTON.

"Liberty and Union, now and forever, one and inseparable."

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THE VETO POWER: ITS SOURCE AND HISTORY UNDER OUR CONSTITUTION.

There can be no question but that it is from the Constitution of our English ancestors that the mighty power of the Veto came into our own. That fact is abundantly proved by the Debates in the Federal Convention, by the argument in the Federalist, and every other contemporary exposition to which in a law, where the text is of disputable meaning, we must resort, in order to fix its legal intention—which is, according to all law and sense, that which bills and must prevail.

In the arguments for or against the Constitution—whether in the Convention itself, or in that great and authorized apology for its project, (the "Federalist," or in the subsequent discussions in the State Conventions—all the motives for the Veto provision are obviously drawn from British example only: the British King was possessed, in point of form, of an absolute Veto upon legislative acts; a qualified one seemed not dangerous, therefore; the King had not then, for just ninety-five years, ventured to exercise it; and hence it was urged as certain that our President—being much less than a king—would seldom think of employing it. In short, the "Federalist" (which but embodies, on this point, the general sense in which the friends of the adoption of the Constitution had proposed or were vindicating the provision) distinctly maintains not only that the Veto, if given, will be exercised most sparingly and cautiously, but even that it is likely to be used less frequently than it will need to be, because the Executive power, as feeble, will be afraid of the Legislature, which will be strong. The idea of Mr. Madison and his great coadjutors was, then, (see Federalist, No. 73,) that the chief necessity for this royal prerogative (now disused in England) lay in the fact of the weakness of the Executive, under our new scheme of Government. They thought that a Chief Magistrate, not hereditary but elective, not for life but for four years, not chosen by nobles or legislators but by the multitude; without court, palace, privy-purse; no honors or emoluments in his gift, and wielding all patronage only under the jealous supervision of the Senate, would be unable to defend against Congressional encroachment his own distributive share of the co-ordinate powers designed to be given him. They were right, as long as Presidents did not, by an arbitrary use of the power of removal from office, seize, in effect, upon the entire Federal patronage, and thus build up a vast influence; right until the President, becoming the demagogue head of the Party which had elected him, began to be the managing head of the majority in power, who will protect all his acts, because all his acts are to ensure to only the advantage of the faction, at large or individually. Their error lay in not guarding against this usurpation and its consequences. Had they foreseen it; had they not unhappily imagined, in spite of every warning of PATRICK HENRY and others, that the People could never fail (because they had their choice) to choose the most eminent and trustworthy man in the country, they never would have dreamt of arming the Executive with that control over legislation into which the Jacksonian system of power has turned the Veto.

We have said that the chief reason which they gave for creating this prerogative was simply that the Executive might be able to check with it those legislative invasions of his own independent faculties, which they thought (alas! for the foresight of even the wisest! how strongly opposite the event!) certain to happen. Certainly the "Federalist" also suggests—but as of "secondary" importance—the need of some check on Congress, "calculated to guard the community against the effects of faction, precipitancy, or of any impulse unfriendly to the public good, which may happen to influence a majority of that body." (See Federalist, as above.) In a word, the former motive is urged as a necessity, lest one of the separate branches of the Government should absorb another; the second motive is held out as merely a convenience, an expediency, useful at times as a temporary corrective. No more than this is argued; no more could be argued; for as to unconstitutional legislation, what need of a protecting Veto, when there stood the Judiciary, every where the proper and sure resort against unconstitutional laws? So, too, of laws corruptly enacted: the courts afford a remedy where corruption can be shown. And, lastly, as to any "precipitancy" of legislation, it is plain that the power of early repeal is cure enough for that, except in cases where vested rights have been given. In all these cases, there is responsibility to the People, to serve as a preventive; there is a change of Representatives to stand as a sure remedy. With both the Judicial and the Popular corrective, what need of more? And why make the law-giver responsible in addition to the Executive? It is clear that such able men as Mr. Madison and his coadjutors did not intend to urge as weighty the "secondary" reasons which they mention in favor of a Presidential Veto: the "chief," the substantial one which they intended was the necessity of giving to the Executive a merely self-protecting, conservative power, to stand sentry against a legislation which was attempting to take away or trench upon the peculiar functions of the Executive. Even here, let it be remembered, too, they were proposing the gift of a prerogative of which the British crown must now be considered as stripped—since it is now just one hundred and fifty-six years since it has been used. Surely they did not intend to revive the royal power thus abolished in a monarchy, and make that exploded prerogative part of a republic: surely their utmost real purpose was not to give a substantive power, a share in general legislation itself, a complete supervision over it, besides that of the judges and the people; but merely a confined and properly Executive Veto, for the sole purpose of protecting the Executive functions—not an anomalous and fatal mixture of them with the Legislative. We confidently infer, then, that the true object of this gift of power was that which the "Federalist" itself states as the "chief," the primary one; and that the "secondary"—to which we have shown that no real force can be attached—were merely thrown in, by the usual practice of advocates who, when there are but few legitimate arguments for a

thing, endeavor to help them out with the most specious ones which they can find in addition.

We have thus shown—we think incontrovertibly—by analysis, what was the legitimate end for which this dangerous, this otherwise incongruous power was given: that the Executive, as constituted, was falsely (as the issue has shown) considered too weak in comparison with Congress; and that the Veto was meant to be not only "chiefly," but solely defensive. But, granting even that out of the "secondary" reasons for permitting it, a substantive power (which we have shown to be so unnecessary) was to be built, still it is clear that such power must, according to all the great contemporaneous authorities for it, be restricted absolutely in its use to cases which are perfectly clear. So says the "Federalist"; so said all the advocates of the Veto. If it is to be employed otherwise than for the negative protection of the Executive branch against legislative encroachment; if it is to supervise the errors of legislation in other directions: the "precipitate," the "corrupt," the "unconstitutional," or the merely "inexpedient" enactments of Congress must at least be palpable, be indisputable. But here again the grant of such a kingly power upon such terms is inadmissible; for how should that be "palpable" which three hundred legislators, in two separate bodies, have not been able to detect, but which the Executive alone (as if with an all-seeing eye) has instantly discovered? That which all Congress has, in earnest debate and hostile scrutiny, been unable to perceive, must surely be any thing but palpable. So of "unconstitutionality" or of "inexpediency": you have three hundred men of common sense, selected for the very purpose of canvassing these things; and each of them, aided by all the others, must be quite as competent to understand, with all the lights of discussion, what is palpable—as that any ordinary person can know if he will look—as can a President who has not had the advantage of having the thing discussed before him. Moreover, if it is so very transparent, surely the judges and lawyers in the courts, or the voters and candidates on ten thousand hustings, can find it out and will apply their ordinary remedies, without any resort to monarchical correctives; and the more especially as every body of any experience or reflection holds in vehement suspicion the Executive, as the very last power in all Governments that will be likely to watch over the Constitution—he being precisely the power that is most interested in transcending constitutions and breaking them down. Nothing has, therefore, ever struck us as of such gloomy augury for the preservation of this Government, as the fact that the monarch (as he really is) amongst us is permitted, many times a year, without the slightest sign of public impatience or scorn, to set himself up, in solemn lectures, (called messages,) as the high authoritative expounder and guardian of our chartered rights! When and where was ever an Executive before considered a safe interpreter of Constitutions? The people that will consent to look to its Chief Magistrate as the curator of its freedom is soon to see the end of it. No:

Each brute has his instinct: a King's is to reign. To reign—in that word, see, ye ages! comprised The cause of the curses all annals contain, From Caesar's dreaded to Guelph's despised!

Not less preposterous is the one-man power as a remedy against legislative "precipitancy." There are few laws to which a Veto could be applied which—considering that all important ones are submitted to at least one Committee; are thrice read when brought before the House; are subjected to debate, often for weeks; and have to pass through this process in a Legislature of two branches—must not, in the worst instance of haste, have had three hundred times the consideration which the Executive can usually bestow upon the laws which he signs, often, no doubt, without attempting to understand them. On the last night of a session, he frequently reads for the first time and subscribes twenty, thirty, forty, fifty bills! Nor is it any escape from this fact to tell us, in reply, that none of these bills usually involves a constitutional question, or, if found to do so, is retained for examination until the next session. In the first place, there is not time, in that headlong hurry, to see whether or not a constitutional question does lurk in some of them; but, secondly, if the Veto power embraces a right, it embraces a duty, of looking just as much into Expediency as Constitutionality; and in every bill there must be a question of expediency—nay justice; so that the President is just as much bound to look into all the grounds of each Private Bill, of every account, as the Committees of Claims themselves. Small or great, it is all the same: they all turn, for their law, their contract, their fitness, upon their special details: into those details Congress has always looked, while the Executive cannot. It is he, then, not Congress, that is likely, by three hundred to one, to be precipitate. Now, how is that conclusion to be gotten over?

Lastly, as to the allegation that the veto must be held over "corruptions" in legislation. And here, again, what is the principle which, on the veto theory, can alone justify the application against the solemn and separate rights of the law-making department, of an imperial prerogative like this? It is certainly of the fact that there has been corruption, and that this corruption has procured a bad as well as fraudulent law. The corruption, then, must (as the "Federalist" says) be "palpable"; that is, it must be not only capable of proof, but already proved. For you cannot pretend that every rumor, every conjecture, the mere suspicion of the Executive—himself at least equally obnoxious to bias or to wilful fraud—is to be admitted here. If it is, he will do nothing but suspect; for only to suspect will make him master over all legislation. Suspect he will every thing that is not according to his own pleasure, if you grant him this enormous, this imperial premium for suspecting; and accordingly Gen. Jackson suspected—nay stigmatized—all those in Congress who opposed him. The "corruption," then, must be positive, unquestionable; and, if so, what need of the Veto, when the courts can, in the regular exercise of their authority, annul the act?—besides which, the actors themselves must be known, and, being known, punishable by impeachment. There is thus no case warranting a Veto on the ground of legislative corruption, in which the President acting upon it would not be bound also, by special message, to bring the facts before Congress, name the criminals, and urge an inquiry. You cannot release him from this duty, if you are to invest him with such power: you cannot let him act upon unproved suspicions, or keep a convenient form in the darkness of his own breast, where great bodies, the rightful lawgivers of the

land, the co-ordinates and checks of his own else absolute sway, are, they and their acts, to be arraigned without an indictment and condemned without a hearing, by a judge who is not only accuser and witness, but cumulates upon these disqualifications the flagrant one of being supremely interested to condemn Congress, in order that he, the Executive, may discredit the Legislature and add its power to his own. In such proceedings, we have another consequence, equally inevitable and intolerable, of the Veto power, as exercised under the Jacksonian system. It permits—nay, encourages an Executive, himself completely irresponsible, at once to annul the most deliberate, wholesome acts of the Legislature, (which Madison and the other founders of the Constitution supposed and therefore intended to be the strongest branch of our Government,) and thus to prostrate their immediate authority before his own, and undermine all public confidence in them, and bring them into permanent discredit and contempt, by casting upon them, just when it suits his passions or designs, the infamous and gratuitous charge of corruption; when the fact is, according to reason and all experience, that almost the only danger of the Representative body's becoming corrupt arises ever from the Executive, and that when he quarrels with it, you may be sure it is not for its corruptness, but because it is not as corrupt as he would have it. Certainly there have been corrupt Legislatures; but, in such, who were the incorrupt? Who but those that refused to bend to personal power, to the prince or emperor or ruler under no matter what other name? The Roman Senate grew so corrupt (that is a supple) that at length even the foolish as wicked Domitian could insult them, by coining them to deliberate over a huge turbot which he had received, and to advise how it should be cooked; but he did not quarrel except with the few who, in that degraded assembly, stood the monuments of antique virtue and the marks for tyranny. For

Long before had Freedom's face been veiled, And Anarchy assumed her attributes; Till every lawless soldier that assailed Trod on the trembling Senate's slavish nates, Or raised the vengeful voice of baser prostitutes.

Cromwell drove the Long Parliament, Napoleon the French Council of Five Hundred, ignominiously out of their halls: not because they were purchasable, but because they could not buy them. What sovereign, what ruler, what Minister ever fell out with a debauchable Legislature? Did he whom Col. BENTON has made so well known, Sir Robert Walpole, do it? Did Charles I. quarrel with the servile part of his Parliament of 1640, or with Pym and the rest of the indomitable Five Members? The French Chambers under Louis Philippe were not very pure; but was that the reason why he disliked them? One thing, at least, has been, ever since Anglo-Saxon liberty began, a fixed, instinctive political rule among the race of which we come: that whenever our Representatives and our Executive go to loggerheads, we have always stood by our Parliament; we have always known that we cannot afford to let the King get the better. 'Tis like an African's choice of sides between his brother-man and a lion whom he finds fighting: as to the cause, the royal beast may, by accident, have justice on his side; but the Hotentot dares not think so, under penalty of being presently torn to pieces himself: so, without any refining, he helps to kill the savage monster, or helps to drive him back to his den.

There could scarcely be an apter commentary upon the spirit in which the Veto power is asserted by Locofocoism than is to be found in the fact that not only does it cling to this obsolete prerogative of the Stuart and Tudor Kings, but absolutely with the amiable weakness of a mother who, having an ugly brood and haply one among them more foul and deformed than all the others put together, cherishes that ugly lump with a peculiar fondness, and cherishes it for the very reason of its deformity. It doats upon a Veto, not such as old Republicanism thought might be endured at times—of cautious use for a single purpose, rarely to occur—but an ever-present, ever-active, ever-malignant mischief and plague, the bane of all independent authority, the scourge of all legitimate public action. A Veto such as our founders meant, and thought must be allowed to guard the Executive, it does not want and will not have: its heart is vowed to a furious, a fighting, a flaming Veto, that shall not be the Executive shield, but its thundering weapon, smiting all the while, yet slaying legislation at every stroke. With it, the President is to be not the peaceful minister of the laws, their busy administrator, their careful guardian, with enough for any human wit to do in that wide, watchful, and beneficent charge: no, all that is too tame, too humble; he must leave all that undone; and, instead of keeping watch over his own province, he must run abroad by continual excursions to disturb and disorder, not govern, the domain of legislation, within which he has no business to set his foot. As if the other departments of the Government swarmed with "gorgons and hydras and chimeras dire," and he were a Hercules, he must be all the while playing the demigod and the destroyer. Meantime, if there be any quarter where monsters abound and have a holiday, it is just his own: there, a thousand giant abuses infest the land and offer employment for his heroic arm. Why not abate them? The custom-houses, the land offices, the navy yards, the lighthouses, the post offices, the Indian departments were so many sinks of corruption, under Gen. Jackson's very nose, exactly when the slightest whiff, the smallest taint or suspicion of a taint in comparatively pure branches of the Government—the Legislature or the Judiciary—horried his nostrils! This, we repeat, is what Locofocoism wants: an Executive that fosters every party corruption, every official malpractice, among its own creatures, but is outrageously virtuous at the expense of Congress and the Judges; that raises a constant rout about the public freedom, only to get all the keys into its own keeping, and to plunder it at its own leisure and convenience.

That we are justified in what we have said of the purposes for which the Veto party insist on that high prerogative for the President, let the following resolution, out of that series passed by the late Baltimore Convention and declared to be the "Democratic Platform," testify:

"Resolved, That we are decidedly opposed to taking from the President the qualified veto power, by which he is enabled, under restrictions and responsibilities amply sufficient, to guard the public interest, to suspend the passage of a bill whose merits cannot secure the approval of two-thirds of the Senate and House of Representatives until the judgment of the people can be obtained thereon, and which has saved the American people from the corrupt and tyrannical domination

of the Bank of the United States, and from a corrupting system of general internal improvements."

Here we see that they think the existing (that is, practical) "restrictions and responsibilities," under which the President exercises the Veto, are "amply sufficient to guard the public interest." They even go the extraordinary length of intimating, in reality, that no law ought to take effect, unless it can obtain a vote of two-thirds of both Houses of Congress; and they refer, as their favorite and sole instances of the employment of the power, to the cases of the recharter of the United States Bank and to Mr. Polk's negative on the "River and Harbor Bill." Now, we need hardly point to the fact that none of the Locofoco vetoes have had for their object the great end (defence of the Executive functions) which induced the grant of the power. As to its exercise for general constitutional purposes, every body knows that, in both their selected instances, (which must be taken, of course, to embody their sense of the chief aim of the thing,) there was no constitutional ground; for the Supreme Court had adjudged the matter of the Bank, and President Jackson had himself declared that a Bank was constitutional; while, as to Internal Improvements, his decision was that they had only to be National (that is, to extend to more than one State) in order to be within the power of Congress. Lastly, as to the "restrictions and responsibilities of the Veto, which they declare 'amply sufficient,' what are they? In effect, none: the President may negative any law upon any ground. He may object to either substance, form, time, or what he likes: his personal opinion, his personal will, is enough, although he has properly nothing to do with legislation. He may veto a bill because it is not written on such parchment as he likes, or with ink of a particular color. In short, they give him a power over the laws co-extensive with legislation itself, and completely its master. As to his "responsibility, what is it? Impeachment alone! a remedy now known to be perfectly empty; which cannot be employed against a strong President; which will not be employed against a weak one. Besides, unless a criminal intention could be proved, how could a vetoing President be convicted?

Finally, let us see if we cannot do what has not yet been done anywhere—examine for ourselves the nature and the principle of the Veto.

The earliest and most famous example of this power of interposition, to prevent legislation, by the negative voice of those who had no share in it, is the Roman one, from which we take the present usual name for the thing. The Senate, which was formed out of the patricians (the nobles) alone, originally possessed the whole legislative power. Of course, it often made laws to the prejudice of the plebs, (the common people.) At length, in the year of the city 260, and fifteen years after the establishment of the republic, a popular revolt breaking out on account of the oppressiveness of certain laws, the Senate compromised with the people, by agreeing that the tribes should have officers called "Tribunes of the People," who without any other, any affirmative part in legislating, might take, as representatives of the people, a negative one. They could not vote, could not enter the hall; but sitting at the open door and watching all the proceedings, had a right to stop in its progress any law oppressive to the people, by crying out, in their name, *Veto*, "I forbid it." They thus announced that the people would not submit to it; and the Senate was bound to go no further, as long as the opposition they made continued. They had the power—easily exercised in a city—of assembling the people and consulting them as to whether they should continue the resistance and so defeat the law. They were chosen by the people; could be none but plebeians; and their persons were inviolable. They were public officers for no other purpose, with no other duty. Now, from all this it plainly appears that this Veto had no principle in common with our Executive's. He answers to their consuls, who were the Roman chief magistrates, and had no negative upon the laws: the Tribunes stood for the people only, who through them alone took this negative right over a legislation in which they had no other share; while, in our system, it is (or should be) the people alone who make, through their representatives, their own laws. In Rome, the object of the Veto was to protect the people from a legislature which was not theirs, but an aristocracy's: here, the legislature is the people's only, is the people itself, as far as it can be brought into one body, to make its own laws. There, then, it was the People's Veto; here, it is a Veto upon the People.

The next remarkable example of the thing is the *liberum veto* (as it was called) "the independent negative," which belonged to every member of the Polish Diet or Parliament. This body consisted of nobles and ecclesiastics only; for the mere people had no share in the government. Poland was a Republic; but, like ours, had an elective King. Not he, however, held the veto, like ours: it was every separate member of their one-bodied Congress, who might veto the bills of all the rest, by simply saying *Nie pozwalam*, (I don't permit.) When Russia first partitioned Poland, she left her that Diet, where one man's voice could stay every public good: she could inflict nothing more fatal on her, and she spared the veto. Ours is like hers, in one man's holding it; unlike in this—that with us he is one who is no member of the Legislature, and takes no part in the discussions which enlighten it.

The old constitution of Aragon—the earliest Constitutional Monarchy of the modern world—had several vetoes. The King (who was elective) had one upon his Cortes (the four *brazos* or branches of the Cortes could negative each other; and every member of each *brazo* could veto all the rest. Of course, the confusion would have been endless, but for one wise resort: they had a supreme judge, called the *Justicia*, who sat as common umpire and decided which should submit. He was chosen by neither King nor Cortes, Nobles nor Commons, but by the *Hidalgos*, the middle order who had landed property but not titles. The Aragonese were a very high-spirited people, however; and, not having nearly as great an awe of their King as our vetoists have, always took care to inform him of the fact, at the outset. "The King," says Antonio Perez, "upon his inauguration, kneels before the Justicia (who remains seated and covered) and

So NICHOLSON, the highest of authorities, considers them. See his 1st vol., pp. 283 to 296, Lea & Blanchard's edition, 1844. Also, Ferguson, the next highest authority as to the Roman institutions, p. 16, 17, Wardle's edition, 1830. The thing admits no doubt.

swears solemnly to observe the *fueros* (laws) of the nation. Then the Justicia, in the name of the Cortes, says to him: *Nos, que valemus tanto como vos, os hacemos rey y señor; con tal que nos guardéis nuestros fueros y libertades; y sino, no: that is, 'We, who are as good as you, make you king and lord; on condition, however, that you keep our laws and liberties; and if not, not.'* (See Robertson's "Charles V.," and "Penny Cyclopaedia," article ARAGON.)

In France, the Constituent Assembly of 1789 granted to the King, by the first French Constitution, a veto upon its acts. This was there necessary; for the Legislature consisted of but one body, and was therefore without the check upon itself which we have in the reciprocal negative of the Senate and House upon each other's bills. Nevertheless, the first time that the poor King did use his veto it ruined him. Under the "Charters" of 1814 and 1830, the King's Veto was preserved; but we can recall no instance of its exercise. In Norway, the King may veto the bills of the Storting (legislature), which are submitted to him for his approval; but if three successive Storthings re-enact the bill, by a mere majority, it becomes a law, without the royal assent. It was by the aid of this provision that Nobility was abolished in Norway. The Storting brought in a law for that purpose; but what "Democracy" calls "the most conservative feature of our institutions" interposed to "conserve" the titled grandes: the King vetoed the law. Nobody—except the Nobles and their dependants—cried "Long live King Veto!" Perhaps there was no Locofoco party there. Poor Norwegians! At any rate, two more successive Storthings persisted in the enactment; and Veto and Titles were slain together. (See "Encyclopaedia Americana," article VETO.)

In the history of Vetism, the English only remains—that relic of the times of the lioness Queen Elizabeth, or of her still fiercer father; which, when English freedom grew fixed, it would not endure; and of which, when the spirit of England first waxed high to the destruction of a foolish King, Milton wrote in strong and lofty words, the very majesty of Liberty's noblest language, the sound of which should sting, if it cannot fire, the degenerate commonwealth which can sit tamely under the most aggravated shame of what he describes. Answering the servile arguments for this royal right, he says: "The conclusion, therefore, must needs be quite contrary to what he concludes: that nothing can be more unhappy, more dishonorable, more unsafe for all, than when a wise, grave, and honorable Parliament shall have labored, debated, argued, consulted, and (as he himself speaks) 'contributed' for the public good all their counsels, in common, to be then frustrated, disappointed, denied, and repulsed, by the single whiff of a negative from the mouth of one wilful man: nay, to be blasted, to be struck as mute and motionless as a Parliament of tapestry in the hangings; or else, after all their pains and travail, to be dissolved, and cast away, like so many mounds in arithmetic, unless it be to turn the 0 of their insignificance into a lamentation with the people, who had 'so vainly sent them!' For this is not 'to enact all things by public consent,' as he would have us be persuaded; it is to enact nothing, but by the 'private consent and leave of one not negative tyrant: this is mischief without remedy, a stifling and obstructing evil that hath no vent, no outlet, no passage through. Grant him this, and the Parliament hath no more freedom than if it sat in his noose, which, when he pleases to draw to, together with one twelfth of his negative, shall throttle a whole nation, to the wish of Caligula, in one neck." (Answer to "Eikon Basilike.")

We have thus given in brief the several forms under which, as a resort in governmental mechanism, the Veto has existed; and these instances must, if there be any common principle among them, help us to it.

Evidently, not necessarily Republican can that be which has been, by free nations, torn from kings, as making royalty itself despotic. If, then, it may be despotic, it cannot be "a most conservative institution," unless by that you mean conservative of arbitrary power as well as of freedom. Conservative, our founders clearly intended it should be; but of what? Of the appointed power of the Executive, whenever the Legislature shall have invaded it: of preserving for him an executive, not of bestowing on him a legislative power. Mainly, if not entirely, it was for that: it was, by Jacksonism, been turned entirely into this. Even for that, it was to be rarely and timidly exercised: it has been frequently and rashly exercised for this. It was intended for an incidental—it has been converted to a substantive power; for a defensive, and it has become an assailant one. It has not been held as a shield over the Executive; but, as a weapon of his will, he wields it to strike or terrify Congress and the Courts. That only is conservative which is conservatively used, and not like to be used otherwise: for a conservative power is a power to check the excesses of another power; and, so far, it must be a superior one or will soon become so. To hinder this as much as you can, you must limit the negative strictly to its legitimate objects: if you give a general power—an Executive check, for instance, on all legislative acts—you give a despotism; you give a real power over all legislation to the President; and the union of Legislative with Executive power is despotism. Practically, it has been proved that a Veto upon all acts which cannot be re-enacted by two-thirds of both Houses of Congress is equivalent to an absolute Veto: no Veto has ever yet been overruled: nor is it probable that any will ever be, while a party President shall retain the influence which he now commands.

The Polish example is inapplicable, if it were encouraging. That was surely not conservative; for it was the great cause of the ruin of Poland. The Aragonese is equally inapplicable; for we have no Justicia. The French, like the English, shows that the thing is incompatible with even a Limited Monarchy. The only Norwegian instance that we can find would, by this "conservative" right, have preserved nothing but a titled and privileged Nobility. The Roman Veto was (as we have seen) only a device for giving to the before-unrepresented people a negative, through their officer constituted for that purpose only, over a legislation in which they had no other part; while here, on the contrary, it is the People in whom, through their Representatives, resides all proper power of legislation. That case displays most forcibly, too, the power which the mere possession of the Veto can accumulate: for the Tribunes, with nothing else in the outset, gradually grew to be the plague of the Roman State, the source of endless mischief, of a confusion and

licentiousness which led at last to both People and Senate's taking refuge under a Dictator for life and an Emperor; who, to complete his power, added to it, in form, the Tribunician, and wore for his second title that of *Tribunitia potestate praeditus*—"invested with the Veto power." Indeed, all absolute monarchs who admit their subjects, by a representative body, to a nominal exercise of legislative rights, retain the Veto—that is, the power of forbidding any law which does not suit the throne; for, without this, they are not—with it they are—Despots.

The Hon. JAMES C. JONES, of Tennessee, has accepted the appointment of Elector at large, on the Taylor and Fillmore ticket and will vigorously canvass the State until the day of election—with what effect, all who have ever heard that eloquent speaker can very well imagine.

THADDEUS STEVENS, Esq.—A Lancaster correspondent of the Ledger having asserted that this gentleman would run against the settled Whig ticket for Congress, he denies the truth in a letter to the Lancaster Union, and says, in conclusion: "I hold that every man who submits his name to a Convention for nomination is bound in honor to submit to its decision, and to support the nominee, whoever he may be. Such, as a Whig and supporter of Gen. Taylor, will be my course now."

A CHAPTER OF POLITICAL WONDERS.—Some one has quaintly remarked, if peace be now made, this will be the first example of war begun without authority and ended without authority. But this is only a part of the wonders which attend this most extraordinary chapter of history. Look at these, for example:

1. The President makes war without the authority of law.
2. His Ambassador ends it without his authority, or any authority.
3. The President of this country permits the ablest Generals of the enemy to take command and fight us as hard as possible.
4. The General of our forces, who conquered the enemy, is arrested in the midst of victories, and, without offence, is to be tried as a criminal.
5. We propose to pay twenty millions of dollars for territory we have already occupied.
6. We have the best lands in the world, and we are exceedingly anxious to get the worst.

A series of contradictions, of blunders, and incredible inconsistencies, like these, cannot, we believe, be paralleled by any Administration in any country. Perhaps if we hunt up the records of some King John or Henry VI. we may possibly find a parallel; but certainly not in this country or in any recent history of Europe.—*Frankfort (Ky.) Commonwealth.*

General Wool and Staff arrived in this city last night, and have taken lodgings at Blackwell's (late Coleman's) Hotel.

In the large State of New York there are but three newspapers, heretofore Whig, that do not support the nominations of TAYLOR and FILLMORE. These are, the Seneca County Courier, the Yates County Whig, and the New York Tribune.

WILLIAM P. CUTLER is the Whig candidate for Congress in the Thirtieth District of Ohio, now represented by Thomas Richey, (L. F.)

THE OHIO RESERVE.—The Conneaut (Ohio) Reporter, printed in Mr. GIDDINGS's county, publishes a call for a Taylor meeting on the 17th instant, signed by two hundred and fifty-seven persons. A large meeting has also been held in Akron, near by.

IOWA ELECTION.—A telegraphic bulletin from St. Louis announces that the Democrats have a majority of ten on joint ballot in the Legislature, but that the Whigs have a majority in the State Senate. Both Messrs. THOMPSON and LEFFLER, the Democratic candidates for Congress, are re-elected.

The Whig State Convention of NEW YORK is to assemble in Utica on the 14th of September, for the purpose of nominating candidates for the office of Governor, Lieutenant Governor, Canal Commissioner, and State Prison Inspector; and also to nominate a College of Electors of President and Vice President of the United States.

JOSHUA LEAVITT, the Locofoco leader of the Abolition party, and editor of the Emancipator, who openly boasted in Washington that he worked the Abolition ropes to defeat the Whig party, has written a letter giving authority for the withdrawal of the name of JOHN P. HALE from the Presidential canvass, in favor of MARTIN VAN BUREN.

SIGNS IN MISSISSIPPI.—The Vicksburg Whig states that the Mississippi Telegraph, published in Winston county, and hitherto a Cass paper, has hauled down its old colors and raised the banner of TAYLOR and FILLMORE. The Vicksburg Whig says that this is the third change in the Mississippi press which it has recorded since the nomination of Gen. TAYLOR, all of them favorable to the old hero, whose generous bearing to her sons, when placed under his command in a foreign country, will never be forgotten or neglected by that proud and chivalrous State.

The Red River Republican, heretofore the leading Locofoco organ in the parish of Rapides, and in the northwestern part of Louisiana, has struck the flag of CASS and BUTLER, and has come out for "TAYLOR and FILLMORE." This change, it is stated, will have a powerful effect upon public sentiment in the Red River parishes.

The eccentric and warm-hearted editor of the "Jonesborough (Tenn.) Whig" was so grieved at the defeat of Mr. CLAY in the Philadelphia Convention that he refused to run up the names of TAYLOR and FILLMORE. Time, however, has mollified the old gentleman's resentments, and he now urges all good Whigs to vote the ticket. We quote below the conclusion of two long articles on the Presidency, published in his paper of August 2, and both signed with his own name, as follows:

"All good Whigs who intend to vote in this election ought to vote for Taylor and Fillmore. If the ticket is elected, say certainly will be, the influential Whigs of the Union may influence the measures of Taylor; and, if so, we shall have a sound administration. If Providence should call Taylor away, we shall have a sound Whig President and an able statesman in the person of Millard Fillmore. Should Cass and Butler be elected, we can hope for nothing good for four years to come. Then let all good Whigs vote for Taylor at a venture, and, when four years shall have rolled round, let them again put on the harness and wheel into line in support of their principles."

W. G. BROWNLOW.

"Editor of the Jonesboro' Whig." "You can say to your friends that Tennessee will go for Taylor and Fillmore by a majority of five or ten thousand votes; that this district, heretofore Democratic, will give them a majority; and last, though not least, that this country, always Democratic, will go for Taylor and Fillmore."

Very respectfully, your obedient servant,

W. G. BROWNLOW.

The Louisville Journal is responsible for the following hit at the different "Lives" of the Democratic candidate for the Presidency:

"One of the Boston transcendentalists says that 'too much life is death.' If that's the case, we apprehend that Cass's seven lives will be the death of him."

H. H. VAN ARMAN, a delegate to the Buffalo Convention, protests against its proceedings, in the Buffalo Courier mainly for the reason that "the platform does not contain a resolution in favor of free soil" (nothing is said of the right of man to the earth, nor of the prohibition of public sales of the lands).